

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 17-26 and 28-44 are pending in the present application. No claims are amended, canceled, or added by the present response.

In the outstanding Office Action, Claims 21 and 38 were objected to; Claims 17-19 and 21 were rejected under 35 U.S.C. § 102(b) as anticipated by Li et al. (U.S. Patent No. 5,473,599, herein "Li"); Claim 20 was rejected under 35 U.S.C. § 103(a) as unpatentable over Li in view of Nguyen (U.S. Patent No. 5,506,790); Claims 22-26 and 28-44 were rejected under 35 U.S.C. § 103(a) as unpatentable over Li, Nguyen, and Moore (U.S. Patent No. 5,475,846); Claims 17-19 and 21 were rejected under 35 U.S.C. § 102(b) as anticipated by Coile et al (U.S. Patent No. 6,108,300, herein "Coile"); Claim 20 was rejected under 35 U.S.C. § 103(a) as unpatentable over Coile in view of Nguyen; and Claims 22-26 and 28-44 were rejected under 35 U.S.C. § 103(a) as unpatentable over Coile, Nguyen, and Moore.

Regarding the objection to Claims 21 and 38, it is noted that dependent Claim 21 depends indirectly from independent Claim 17 while dependent Claim 38 depends directly from independent Claim 17. Therefore, although Claims 21 and 38 are identical they are not duplicates because Claim 21 includes the features of Claims 17 and 19 while Claim 38 includes the features of only Claim 17. Accordingly, it is respectfully requested this objection be withdrawn.

The rejection of Claims 17-19 and 21 under 35 U.S.C. § 102(b) as anticipated by Li is respectfully traversed for the following reasons.

Briefly recapitulating, independent Claim 17 is directed to a redundant routing system that includes a first routing unit and a second routing unit. Each routing unit is configured to manage input and output data. When the second routing unit detects a failure of the first

routing unit, the second routing unit deactivates the first routing unit so that the first routing unit no longer manages the input and output data and the second output unit is configured to start managing the input and output data. Independent Claim 39 recites similar features as Claim 17.

As disclosed in the specification at page 5, lines 14-23, in some circumstances the first routing unit encounters certain problems but still manages the input and output data and refuses to let the second routing unit to take control. In order to solve this problem, the claimed system provides the second routing unit with the capability of deactivating the first routing unit. In other words, the second routing unit does not require approval or confirmation from the first routing unit or any other device of the redundant routing system in order to deactivate the first routing unit. The second routing unit, based on its own protocol, deactivates the first routing unit.

Turning to the applied art, Li shows in Figure 2a a plurality of routers linked together such that a first router is an active router and a second router is a standby or a new router that is capable of taking over the active router. However, the taking over of the standby router over the active router is happening as disclosed at column 7, lines 8-15 in Li, i.e., by requiring permission of the active router and waiting for the active router to resign from its position as the active router. In other words, Li discloses that the standby router, after determining a priority over the current active router, issues a coup message and “the current active router resigns” before the standby router takes the status of active router.

Thus, the device of Li does not teach or suggest that the second routing unit is configured to *deactivate* the first routing unit so that the first routing unit no longer manages input and output data as required by amended Claims 17 and 39.

Therefore, it is respectfully submitted that independent Claims 17 and 39 and each of the claims dependent therefrom patentably distinguish over Li.

Regarding the outstanding rejections of the dependent claims over various combinations of Li and other applied art, the applied art has been considered but does not cure the deficiencies of Li discussed above. Therefore, it is respectfully submitted the dependent claims are also allowable.

The rejection of Claims 17-19 and 21 under 35 U.S.C. § 102(b) as anticipated by Coile is respectfully traversed for the following reasons.

Coile is directed to a device similar to the device of Li discussed above. Coile shows in Figures 2 and 3 a first network unit 300 and a second network unit 310 connected to each other and the first network unit 300 acting as an active unit and the second network unit 310 acting as a backup unit. However, as disclosed by Coile at column 6, line 60 to column 7, line 10, “[t]he backup network device becomes active upon confirmation of a failure in the primary network device.” The confirmation is sent by the network device that determines that a failure has occurred. In other words, similar to Li, the second network unit of Coile is not configured to independently deactivate the first network unit as required by independent Claims 17 and 39.

Accordingly, it is respectfully submitted that independent Claims 17 and 39 and each of the claims depending therefrom patentably distinguish over Coile.

Regarding the outstanding rejections on the merits of the dependent claims over various combinations of Coile and other applied art, that applied art has been considered but does not overcome the deficiencies of Coile discussed above. Accordingly, it is respectfully submitted that the dependent claims are also allowable.

Consequently, in light of the above discussion, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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Philippe J.C. Signore  
Attorney of Record  
Registration No. 43,922

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 03/06)

Remus F. Fetea, Ph.D.  
Registration No. 59,140